

REMARKS

Claims 45-62 and 84 remain pending in the present application. Claims 63-83 and 85-98 have been cancelled pursuant to the outstanding restriction requirement.

In view of the above amendment to the claims, there remain two issues in the rejection of the present application, namely, the rejection of claims 42-62 and 84 under 35 U.S.C. 103(a) and the double patenting rejection.

35 U.S.C. 103(a) rejection

Dealing specifically with the 35 U.S.C. 103(a) rejection, the Examiner has maintained the rejection over the Barkac et al. reference, U.S. 6,191,225. In view of the amendments to the claims, it is felt that this rejection should be withdrawn.

A principal distinction between the claims of the present invention and the Barkac et al. disclosure is that the components (a) and (b) in Barkac et al. are prepared by atom transfer radical polymerization (ATRP), whereas in the present invention, the flow control agent is prepared by conventional free radical initiated polymerization. In the Barkac et al. ATRP polymerization, transition metals are used as the catalyst to cause the polymerization. The flow control agents of applicants' invention, on the other hand, are prepared in the presence of conventional free radical initiators and in the absence of transition metals. This argument was made

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previously in the prosecution of the application; however, the Examiner indicated that these limitations were not part of the claims. By this amendment, the claims have been so limited to distinguish over the components (a) and (b) of the Barkac et al. reference. Therefore, it is respectfully requested that the rejection under 35 U.S.C. 103(a) be withdrawn.

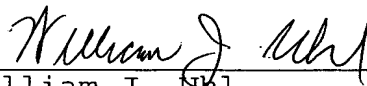
Double Patenting Rejection

Dealing now with the double patenting rejection, applicants are submitting with this amendment a Terminal Disclaimer that should be sufficient to remove the obvious double patenting rejection over Rechenberg et al.

CONCLUSION

In view of the present amendment to the claims and the Terminal Disclaimer submitted herewith, it is felt that applicants' claims are in condition for allowance and an early and favorable response to this amendment is respectfully requested. If the Examiner feels that there are any issues unresolved, she is urged to contact applicants' Pittsburgh attorney undersigned below for a telephonic interview to resolve the remaining issues.

Respectfully submitted,



William J. Ohl
Registration No. 25,567
Attorney of Record
Telephone No.: (412) 434-2485
Facsimile No.: (412) 434-4292

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